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Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

CHAPTER I—FARM CREDIT ADMINISTRATION

[F. C. A. 184]

REAMORTIZATION AND LONG-TERM EXTENSION FEES

THE FEDERAL LAND BANK OF SPOKANE

Section 32.4 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 32.4 *Reamortization and long-term extension fees.* Applicants for reamortization or long-term extension of bank loans and Commissioner loans will not be required to pay a reamortization or long-term extension fee; however, applicants will be required to pay actual cash outlays for abstract expenses, notarial fees, recording fees, and other disbursements necessary and incident to the reamortization or long-term extension. (Sec. 13 "Thirteenth", as added by sec. 4, 47 Stat. 1548, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Thirteenth", 1020, 1020a, and Sup.; 6 CFR 19.4043, 4 F.R. 4942) (Res. Ex. Com. May 7, 1940).

[SEAL] THE FEDERAL LAND
BANK OF SPOKANE,
R. E. BROWN,
President.

[F. R. Doc. 40-2604; Filed, June 26, 1940; 11:33 a. m.]

TITLE 14—CIVIL AVIATION

CHAPTER I—CIVIL AERONAUTICS AUTHORITY

[Amendment 59, Civil Air Regulations]

REQUIRING AUTHORIZATION FOR FOREIGN AND OVERSEAS FLIGHTS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 18th day of June 1940.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a),

601 (a), and 1102 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

Effective June 18, 1940, the Civil Air Regulations, as amended, are amended by the addition to Part 60 of a new section, § 60.94, reading as follows:

§ 60.94 *Authorization required.* No person shall operate or attempt to operate any civil aircraft of the United States from any State, Territory or possession of the United States or the District of Columbia to or over any foreign country, over the high seas, or within or away from any foreign country, unless a Foreign Flight Authorization for such operation has been issued by the Authority prior to each such operation or attempt to operate; nor shall such operation be conducted otherwise than in accordance with the terms, conditions, and limitations prescribed and set forth in such Authorization: *Provided,* That no Authorization is required for the operation of civil aircraft in overseas or foreign air transportation conducted pursuant to the terms of an Air Carrier Operating Certificate issued by the Authority, nor for the operation of civil aircraft within any of the following areas:

1. Those portions of the Dominion of Canada which lie within 250 miles of the territorial limits of the United States, provided that such aircraft are operated by and carry only United States or Canadian citizens or both;

2. The Republic of Cuba;

3. That portion of the Republic of Mexico which lies within 100 miles of the territorial limits of the United States; and

4. That portion of the high seas or international waters which lie within 100 miles of the territorial limits of the United States.

§ 60.940 *General requirements.* No Foreign Flight Authorization will be is-

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sued unless the Authority, or its representative, shall determine that:

1. The aircraft and aircraft equipment to be used for the proposed flight are adequate to insure the safe operation of such flight;
2. The airmen and other personnel are qualified for the type of flight contemplated;
3. The foreign countries through which the flight will proceed do not prohibit the entry of the passengers and goods to be carried;
4. The aircraft is not to be employed as a part of the military or naval forces of any foreign country, or any political subdivision thereof, or of any belligerent faction therein;
5. The purpose of the flight is lawful and consistent with the policies of the United States Government;
6. Each foreign country through which the flight will proceed, has or will accord permission to operate the aircraft therein;¹
7. The airman who will be in command of the aircraft is familiar with

¹ NOTE: After receipt by the Authority of application for foreign flight, the Authority will, if it perceives no objection, request the Secretary of State to obtain permission through the usual diplomatic channels from each of the foreign governments which requires special permission for flight by United States registered aircraft therein, except in respect to countries from which the pilot is permitted to obtain his own permit directly.

all applicable provisions of International Conventions and Arrangements,² and of the laws and regulations of the foreign countries through which the proposed flight will take place.³

§ 60.941 *Application.* Application for a Foreign Flight Authorization shall be made in duplicate upon the applicable form prescribed and furnished by the Authority.⁴

§ 60.942 *Display.* The Foreign Flight Authorization shall be kept in the personal possession of the pilot in command at all times during operation pursuant to the Authorization, and shall be presented for inspection upon the request of any authorized representative of the Authority, or when the aircraft is within any foreign country, upon the request of any authorized representative of such government, or political subdivision thereof.

§ 60.943 *Duration.* The duration of a Foreign Flight Authorization shall be limited to the period prescribed on such Authorization.

§ 60.944 *Surrender.* Upon the suspension, revocation, or expiration of a Foreign Flight Authorization, the holder of such Authorization shall, upon request, surrender such Authorization to any officer or employee of the Authority.

By the Authority.

[SEAL] PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 40-2599; Filed, June 26, 1940; 10:57 a. m.]

TITLE 29—LABOR

CHAPTER IV—CHILDREN'S BUREAU

[Regulation No. 17]

PART 402—ACCEPTANCE OF STATE CERTIFICATES

JUNE 26, 1940.

§ 402.1 *Designation of States.* Pursuant to the provisions of section 401.5,¹ I hereby designate the following States as States in which State age, employment, or working certificates or permits shall have the same force and effect as

¹ NOTE: A list of such Conventions and Arrangements in force on June 1, 1940, is furnished by the Department of State; copies of such conventions and arrangements may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C.

² NOTE: Information concerning air traffic rules, prohibited articles, prohibited areas, ports of entry, customs and public health matters, etc., may be obtained from the Civil Aeronautics Authority, or from the Department of State, or from the respective foreign consulates.

³ NOTE: Applicant is advised to file application as far in advance as possible of the date of contemplated departure from the United States. Three weeks to two months are required to secure permission from certain foreign countries which require special permission for flight of United States registered aircraft therein, and generally the more extensive the proposed flight and the greater the number of countries through which the flight is to proceed, the more time is required to secure permissions from

Federal certificates of age under the Fair Labor Standards Act of 1938:

Alabama	Montana
Arizona	Nebraska
Arkansas	New Hampshire
California	New Jersey
Colorado	New Mexico
Connecticut	New York
Delaware	North Carolina
District of Columbia	North Dakota
Florida	Ohio
Georgia	Oklahoma
Hawaii	Oregon
Illinois	Pennsylvania
Indiana	Rhode Island
Iowa	South Dakota
Kansas	Tennessee
Kentucky	Utah
Maine	Vermont
Maryland	Virginia
Massachusetts	Washington
Michigan	West Virginia
Minnesota	Wisconsin
Missouri	Wyoming

This designation shall be effective from July 1, 1940, until June 30, 1941, unless amended or repealed by regulation hereafter made and published by the Chief of the Children's Bureau.

[SEAL] KATHARINE F. LENROOT,
Chief.

[F. R. Doc. 40-2607; Filed, June 26, 1940; 12:14 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

CHAPTER I—MONETARY OFFICES

PART 140—REVOCATION OF GENERAL LICENSE No. 10, AS AMENDED,¹ UNDER EXECUTIVE ORDER No. 8389,² APRIL 10, 1940, AS AMENDED, AND REGULATIONS³ ISSUED PURSUANT THERETO RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

General License No. 10, as amended, authorizing banking institutions within the United States to make all payments, transfers and withdrawals from accounts in the name of the Banque Belge pour l'Etranger, Overseas, Ltd., including its New York agency, the Banque Belge pour l'Etranger in Paris, including its Marseilles agency, the Banque Belge et Internationale en Egypte, the branches and agencies of the Banque Italo-Belge in London, Paris, Le Havre, Buenos Aires, Montevideo, Rio de Janeiro, Sao Paulo, Santos and Campinas, the branches of the Banque Belge pour l'Etranger—Extreme Orient in Shanghai, Tientsin, Hongkong and Hankow, and the office in Bordeaux and the

each foreign country. Applications involving unusual circumstances, such as long distance over-water flights, should be made several months before the contemplated departure.

¹ Section 5, Child Labor Regulation No. 1, "Certificates of Age", issued October 14, 1938, pursuant to the authority conferred by sections 3 (l) and 11 (b) of the Fair Labor Standards Act of 1938, published in 3 F.R. 2487; republished in 4 F.R. 1361.

² 5 F.R. 1840.

³ 5 F.R. 1677, 2279.

⁴ 5 F.R. 1680.

branches in London and the Belgian Congo of the Banque du Congo Belge is hereby revoked.**

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
JUNE 25, 1940.

[F. R. Doc. 40-2595; Filed, June 28, 1940;
9:53 a. m.]

TITLE 42—PUBLIC HEALTH

CHAPTER I—PUBLIC HEALTH SERVICE

REGULATIONS GOVERNING ALLOTMENTS AND PAYMENTS TO THE STATES FOR VENEREAL DISEASE CONTROL ACTIVITIES FOR THE FISCAL YEAR 1941

Pursuant to the authority contained in section 4d of Chap. XV of the Act of July 9, 1918, as added by the Act of May 24, 1938, 52 Stat. 439 (U.S.C., title 42, sec. 25d) the following regulations are hereby prescribed:

§ 10.101 *Compliance with law and regulations.* In order that funds allotted to the States may be of maximum use in assisting States, municipalities, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate measures for the control of the venereal diseases, payments made to a State under authority of the act will be certified by the Surgeon General only after such State has complied with the provisions of the act and regulations authorized thereunder.*

§ 10.102 *Allotments.* The Surgeon General, pursuant to the authority contained in section 4b of the act, has determined that \$5,672,388 or 88.8 percent of the total amount available for the fiscal year 1941, shall be allotted to the States, the District of Columbia, Alaska, Puerto Rico, the Virgin Islands, and Hawaii, on the bases of (1) the population, (2) the extent of the venereal disease problem, and (3) the financial needs of the respective States, "in establishing and maintaining adequate measures for the prevention, treatment, and control of the venereal diseases," in accordance with the following percentage distribution:

(a) *Population.* Allotments amounting to 26.7 percent of the available appropriations will be made to the several States in the ratio which the population of each State bears to the population of the United States as shown by the Census Bureau 1937 midyear population estimates.

**Part 140; Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; E.O. 8446, June 17, 1940; Regulations, April 10, 1940, as amended, May 10, 1940 and June 17, 1940.

*§ 10.101 to 10.1015, inclusive, issued under the authority contained in sec. 4d of Chap. XV of the Act of July 9, 1918, as added by the Act of May 24, 1938, 52 Stat. 439; 42 U.S.C. 25d.

(b) *Extent of the venereal disease problem.* Allotments amounting to 35.3 percent of the available appropriations will be made to the several States on the bases of: (1) The varying composite geographical and racial prevalence rate for syphilis; (2) the varying costs of providing equal services as indicated by the relative per capita cost of the operation and maintenance of State governmental services as shown by the Statistical Abstract of the Department of Commerce for the years 1929-33; (3) the need for training centers and demonstrations in selected areas; (4) the need for facilities for the prevention and control of the venereal diseases in localities where armed forces or civilian employees engaged in national defense activities are concentrated.

(c) *Financial needs.* Allotments amounting to 26.7 percent of the available appropriations will be made to the several States on the basis of the financial needs of such States which is determined to be the ability of the States to raise revenue expressed indirectly in terms of differences in per capita income.*

§ 10.103 *Balances from allotments.* Unpaid balances from allotments at the end of the fiscal year shall not be paid, but shall remain in the appropriation for reallocation to the States in the succeeding fiscal year in accordance with the provisions of the act.*

§ 10.104 *Balances from payments.* In those instances where savings have accumulated in the States, the Surgeon General shall make deductions from payments due in a subsequent quarter in the amount of such savings. Funds so deducted from the payment to a State shall be paid to such State in any subsequent quarter upon the submission and approval of budgets.*

§ 10.105 *Submission of plans.* To be eligible to receive payments from allotments each State shall submit to the Surgeon General:

(a) A comprehensive statement of the present State venereal disease control organization, program and budget. This statement should include all activities maintained through the use of Federal, State, or local venereal disease control funds.

(b) A proposed plan for improving the service of the State venereal disease control unit, including the State plan for a merit system of personnel administration as is now in effect or may hereafter be adopted applicable to any State or local health personnel. If found acceptable, such merit system shall apply to State or local personnel rendering services in accordance with budgets submitted to the Public Health Service as required in § 10.106 of these regulations, provided that, at the option of the State agency the following may be exempted from compliance with the merit system plan: Members of State and local boards or commissions; the

executive head of the State agency administering the State public health program; members of advisory councils or committees or similar bodies paid only for attendance at meetings; State and local officials serving ex officio and performing incidental duties, and all part-time professional persons who are paid for any form of medical, nursing, or other professional service, and who are not engaged in the performance of administrative duties under the State plan but who meet the standards of training and experience established by the responsible State authority.

(c) Specific plans for the control of gonorrhea.

(d) A proposed plan for extending and improving local (city, district, county) venereal disease control services, for both gonorrhea and syphilis, to be carried out with the assistance of funds available under the provisions of the act of May 24, 1938.

(e) A statement indicating the ways in which the proposed expenditure of Federal funds may be expected to stimulate permanent progress in prevention and control of the venereal diseases in both urban and rural areas throughout the State.*

§ 10.106 *Submission and approval of budgets.* Before payments will be made to any State, the State health officers shall:

(a) Submit to the Surgeon General and secure approval of a proposed budget for each project on forms supplied by the Public Health Service. The budget shall show the sources, proposed uses, and amounts of all funds, the amounts requested from the Public Health Service for the fiscal year, together with such other information relating to such proposed project as the Surgeon General may require.

(b) Certify that State and local expenditures have not been replaced or curtailed through the use of Federal funds.*

§ 10.107 *New and revised budgets.* Budgets for new projects and revised budgets for existing projects may be submitted in any quarter after the beginning of the fiscal year, but such budgets will not be made effective prior to the beginning of the next succeeding quarter: *Provided*, That exceptions to this rule may be made by the Surgeon General, when necessary, to meet emergencies.*

§ 10.108 *Existing appropriations not to be replaced.* No funds paid to a State pursuant to this act shall be used to replace State or local funds in such a way as to effect a conservation or reduction of appropriations for venereal disease control work by State and local governmental agencies.*

§ 10.109 *Matching requirements.* Allotments to the several States will be available for payment when matched by State or local public funds which are to be expended for venereal disease con-

trol work in an amount equal to the allotment to each State on the bases of the population and the extent of the venereal disease problem.

Funds employed for matching purposes shall be identified on Budget Form 8930-A and may be derived either from new or old appropriations, State or local, and from donations by private individuals or nongovernmental agencies when such nonpublic funds are certified as being available and will be expended for the control of the venereal diseases under the direction of the official health authority.*

§ 10.1010 *Training of personnel.* In order to meet the needs for properly qualified professional and technical personnel with which to conduct effectively State and local venereal disease control work, health departments may budget for the training of personnel such sums as may be deemed necessary for this purpose: *Provided*, That the sums used for the training of personnel and the scientific personnel nominated for training be first approved by the Surgeon General.

These funds may also be used to aid training centers in the equipment and maintenance of training courses.

Funds budgeted by a State for the training of personnel may be used to pay living stipends, tuition, and traveling expenses of full-time or part-time personnel employed or to be employed in the State and local health services, such training period not to exceed 1 year for any individual. Allowances for stipends for trainees in venereal disease control shall not exceed the amounts specified by the Surgeon General.

A trainee application form provided by the Public Health Service shall be completed by the proposed trainee and submitted by the State health officer with his recommendation to the district office of the Public Health Service for approval before the trainee enters upon training.*

§ 10.1011 *Method of payments to States and custody of funds.* Prior to the beginning of each quarter of the fiscal year each State health officer shall submit, on a form provided by the Public Health Service, a request for funds for the quarter. The application for quarterly payment shall include only those funds required for financing budgets actually in force, or which definitely will become operative, in the quarter for which payment is requested. In support of this application there shall be attached a statement itemizing by budgets the amount requested for the quarter.

Subject to approval by the Administrator of the Federal Security Agency, payments will be made in quarterly installments to the treasurer of the State or other State official authorized by law to receive such funds.

All such payments shall be held by the State official to whom made, in a

separate fund distinct from other State funds, and shall be disbursed and audited in accordance with the fiscal procedure of the State. Expenditures shall be made solely for the purposes specified in budgets approved by the State health officer and the Surgeon General.*

§ 10.1012 *Financial reports.* The State health officer shall submit and certify to the Surgeon General on forms provided for that purpose financial reports as follows:

(a) A quarterly project financial report for each budget in force which shall show actual amount of expenditure of Public Health Service, of State, and of local funds budgeted, and such other information as the Surgeon General may from time to time require.

(b) A consolidated quarterly report summarizing all budget expenditures of Public Health Service, of State, and of local funds, and such other information as the Surgeon General may from time to time require.

(c) An annual report of all State expenditures for the control of the venereal diseases showing by appropriations all such State expenditures for the State fiscal year ending within the Federal fiscal year. This report must be certified also by the treasurer or other State official charged with the responsibility of disbursing the health department funds.*

§ 10.1013 *Progress reports of activities.* Quarterly and annual narrative reports of the type previously submitted are no longer required. In lieu thereof the State health officer shall submit to the Surgeon General:

(a) A semi-annual report on the status of venereal disease control activities (Form VM-1002, Section I—Statistical, Section II—Narrative). For the period July 1 to December 31 this report should be forwarded in duplicate through the district office of the Public Health Service not later than January 31; for the period January 1 to June 30 not later than July 31.

(b) A monthly clinic report (Form 8954-A Rev. March 1940) for each clinic in the State treating venereal diseases, by the fifteenth day of each succeeding month. Clinics employing the mechanical system for reporting are exempt from the use of this form if the designated machine-tabulated reports are submitted by the State.

(c) A monthly morbidity report (Form 8958-B Rev. March 1940) by the twenty-fifth day of each succeeding month.

(d) A monthly city morbidity report (Form VM-820 Rev. 1940) by the fifteenth day of each succeeding month, for each city in which the population is 200,000 or over.*

§ 10.1014 *Reports of activities from other agencies not required.* No de-

tailed reports of activities will be required for projects for which no Federal venereal disease control funds are budgeted.*

§ 10.1015 *Purpose of the act.* Generally accepted minimal services for the control of the venereal diseases shall be made available in each State, Territory, municipality, county, health district, or other political subdivision receiving funds under this act substantially in accordance with the following standards:

(a) The State laboratory, and any local serological laboratory receiving funds under this act shall demonstrate by a suitable method that the tests for syphilis performed therein have a satisfactory sensitivity and specificity rating. Such rating shall be determined in the case of the State laboratory by the Public Health Service.

(b) The State laboratory and any local laboratory receiving funds under this act shall provide laboratory services for the venereal diseases on the same basis as such service is provided for other communicable diseases. No State department of health shall be entitled to receive payments under this act unless such laboratory services are provided within that State.

(c) Free diagnostic and treatment facilities for both syphilis and gonorrhea shall be provided by all health departments or clinics receiving funds under this act for (1) the diagnosis and emergency treatment of all patients who apply; (2) all patients referred by a private physician either for continued treatment or for consultative advice and opinion; and (3) all patients unable to afford private medical care: *Provided*, That in communities where other adequate facilities for the diagnosis and treatment of gonorrhea or syphilis are available, funds may be reallocated in the discretion of the State health officer independently to the gonorrhea or syphilis departments of polyclinics in order to provide complete clinical service. The determination of the ability of patients to pay for private medical care shall be the responsibility of the State or local health department or constituted welfare agencies within these areas. Clinics collecting fees from semi-indigent patients shall not receive assistance under this act unless such fees are used solely by the venereal disease clinic for improvement of diagnostic and therapeutic services rendered therein.

(d) Free distribution of antisyphilitic drugs shall be made on the request of any physician authorized by the law of his State to administer such drugs for the treatment of his patients, provided that where health departments have established the policy of furnishing drugs to the physician conditional upon receiving a morbidity report on the case of syphilis to be treated, that such policy

will not in any way be altered by this regulation.

(e) To receive funds under this act, diagnostic and treatment services shall be as freely available to infected residents of other States and counties as to people who reside in the governmental unit providing the services. Clinics shall be so located as to be easy of access and of maximum convenience to the population, and shall be held in well-lighted and well-ventilated rooms. The number of clinic sessions shall be adequate to meet local needs, and shall be held at such times as to avoid economic loss to employed patients; the physical arrangements shall be such as to insure privacy for the patients when receiving medical attention; and the minimum equipment shall include all apparatus and reagents necessary for the proper examination and treatment of patients infected with syphilis and gonorrhea. Such equipment will also include apparatus for darkfield examination, ophthalmologic examination, and for lumbar punctures, unless there is immediate access to such examinations by some other means. The minimal data included on morbidity, clinical, and epidemiologic records shall be those presented in the reprint of the United States Public Health Service on "A Mechanical System for Reporting Morbidity, Treatment-Progress, and Control of Venereal Diseases," or such minimal data as may be later approved by the members of the Conference of State and Territorial Health Officers. Efficient case-finding and case-holding work shall be conducted in all clinics by qualified personnel.

(f) The services of a properly qualified full-time venereal disease control officer shall be provided in each State, and in any municipality receiving funds under this act, if the population of either exceeds 500,000 on the basis of the 1930 census; *Provided further*, That the State health officer, after consultation and agreement with the Surgeon General, may require that the above regulation will apply in cities of populations of less than 500,000 on the basis of the 1930 census.

(g) In reallocating funds under this act for local venereal disease control services, the State health officer shall give due consideration to the relatively higher prevalence of syphilis and gonorrhea in urban areas.*

THOMAS PARRAN,
Surgeon General.

Approved, June 21, 1940.

PAUL V. McNUTT,
Administrator.

[F. R. Doc. 40-2598; Filed June 26, 1940;
10:17 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[General Docket No. 15-A]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES IN RESPECT TO COALS FOR WHICH PRICE CLASSIFICATIONS WERE PROPOSED BY THE DISTRICT BOARDS SUBSEQUENT TO THE CLOSE OF THE HEARING FOR THE PURPOSE OF RECEIVING EVIDENCE IN GENERAL DOCKET NO. 15

AN ORDER PERTAINING TO SUPPLEMENTAL PRICE CLASSIFICATIONS PROPOSED BY THE DISTRICT BOARDS FOR COALS OF CODE MEMBERS SUBSEQUENT TO THE CLOSE OF THE HEARING FOR THE PURPOSE OF RECEIVING EVIDENCE IN GENERAL DOCKET NO. 15; SUBMITTING COORDINATED MINIMUM PRICES PROPOSED BY THE DIVISION FOR SUCH COALS; AND PROVIDING FOR A HEARING FOR CONSIDERATION OF SUCH PROPOSED PRICE CLASSIFICATIONS AND PROPOSED COORDINATED MINIMUM PRICES

The Bituminous Coal Division, United States Department of the Interior, by Order No. 292¹ dated April 12, 1940, having directed each district board for Districts Nos. 1-20, inclusive, 22 and 23 to propose and submit to the Director of the Division, in accordance with the rules and regulations prescribed therein, price classifications and minimum prices for each kind, quality and size of coal, for which no price classification had theretofore been proposed and submitted by the district boards and which is produced within the respective districts by Code members; and

Said Order No. 292 having provided that the price classifications and minimum prices proposed for coals in a particular district shall be expressed as nearly as possible in the terms of the symbols and minimum prices contained in the "Schedule of Recommended Minimum Prices" for such districts, as filed with the Director of the Division by the Examiners appointed for such purpose in General Docket No. 15; and

Supplemental price classifications having been proposed by the various district boards for coals of Code members pursuant to said Order No. 292 and previous Orders of the Division, and schedules of such proposed price classifications and minimum prices (hereinafter referred to as the "proposed price classifications") having been submitted by said district boards to the Director of the Division and copies thereof having been mailed by said district boards

to each Code member in their respective districts; and

The Division, subject to the provisions of this Order, having herein proposed for the coals of Code members covered by the proposed price classifications, coordinated minimum prices, which, for each district, are expressed in the terms of the symbols and are to be read in conjunction with instructions, exceptions, minimum prices, and other provisions contained in the aforesaid Schedule of Recommended Minimum Prices for said district, and having set forth said coordinated minimum prices in a schedule annexed hereto and made a part hereof as Schedule A; and

It being appropriate that the coals covered by the proposed price classifications should be subject to established minimum prices, as soon as practicable and feasible;

It is, therefore, ordered, That on July 15, 1940, at 10 a. m. in the forenoon, or as soon thereafter as may be convenient, at the Hearing Room of the Division, in the Washington Hotel, Washington, D. C., a hearing be held before the Director of the Division, at which evidence and other data will be received pertaining to the conformance or non-conformance of the proposed price classifications and the proposed coordinated minimum prices embodied in Schedule A² with the standards of Part II of section 4 of the Bituminous Coal Act of 1937, including such evidence, data and coordination agreements as any district board or other interested party may desire to submit to support a coordinated minimum price different from that which is proposed herein, to the end that effective minimum prices may be established for the coals covered by the proposed price classifications and the proposed coordinated minimum prices in Schedule A to the extent that such prices are not established in General Docket No. 15; and

It is further ordered, That any Code member named in Schedule A, any district board and any other interested party may appear at the said hearing, at the time and place aforesaid, and be heard with respect to any pertinent item in said schedule and with respect to any pertinent item in the proposed price classifications, in such order and to such extent as the Director may determine: *Provided*, That any such interested party dissatisfied with any proposed coordinated minimum price shall have filed with the Director, at his office in Washington, D. C., on or before July 5, 1940, an original and twelve copies of a written protest setting forth the reasons for dissatisfaction, together with a statement of the specific data and evidence

¹ 5 F.R. 1415.

² Filed as a part of the original document.

to be presented at the hearing in support of said protest; and that a copy of such protest and statement shall have been mailed on or before July 5, 1940, to the district board for the district in which the mine in question is situated; and that such protestant shall be limited to the presentation of evidence and data specifically described in said statement; and

It is further ordered, That said hearing shall not duplicate matters already contained in General Docket No. 15, except for good cause shown; and

It is further ordered, That copies of the proposed price classifications, and the prices embodied in Schedule A heretofore, with respect to each district, shall be available for inspection by all interested parties at the offices of the district board for said district, at the Statistical Bureaus of the Division, and at the offices of the Division, 734 15th Street NW., Washington, D. C.; and

It is further ordered, That the Schedules of Recommended Minimum Prices, and the Report of the Examiners in connection therewith, which are pending before me for appropriate consideration, shall be made available for inspection and study by all interested persons at the offices of the various district boards, Statistical Bureaus, and the Division; and

It is further ordered, That the proposed coordinated minimum prices embodied in Schedule A are subject to such modifications as may be warranted by the modifications, if any, which may hereafter be made in the aforesaid Schedules of Recommended Minimum Prices, in the course of the establishment of effective minimum prices in General Docket No. 15.

Dated, June 24, 1940.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 40-2605; Filed, June 26, 1940;
11:51 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

HEARING ON PROPOSED FINDING AND ORDER RELATING TO EMPLOYMENT OF MINORS BETWEEN 16 AND 18 YEARS OF AGE IN COAL-MINE OCCUPATIONS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

DESIGNATION OF PRESIDING OFFICER

JUNE 26, 1940.

Whereas, a notice was issued on June 7, 1940, and duly published in the FEDERAL REGISTER¹ giving notice of a public hearing to be held in the above entitled matter on June 28, 1940, before a presiding officer to be designated by me;

¹ 5 F.R. 2183, June 11, 1940.

Now, therefore, pursuant to section 3 (1) of the Fair Labor Standards Act of 1938,² the provisions of the regulation prescribing the "Procedure Governing Determinations of Hazardous Occupations,"³ and the provisions of the said notice of hearing, I, Katharine F. Lenroot, Chief of the Children's Bureau of the United States Department of Labor, hereby designate Nicholas E. Allen as presiding officer to conduct the said hearing in accordance with the provisions of the said regulation and instruct him to submit to me a report of the hearing together with the transcript of the proceedings, all information offered, and all briefs submitted at the hearing or following the hearing in accordance with the directions of the presiding officer.

[SEAL] KATHARINE F. LENROOT,
Chief.

[F. R. Doc. 40-2606; Filed June 26, 1940;
12:14 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Order No. 75]

RADIO OPERATORS

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of June 1940,

Pursuant to authority contained in the Communications Act of 1934, as amended,

It is ordered, That on or before the 15th day of August 1940, each radio operator who holds an outstanding commercial or amateur radio operator license issued by this Commission, shall file with the Commission his response, under oath, to the attached questionnaire (Form No. 735)¹ and shall furnish the additional data and documents required therein;

It is further ordered, That on and after the date of this Order, each application for a new commercial or amateur radio operator license shall be accompanied by the applicant's response, under oath, to the attached questionnaire (Form No. 735) together with the additional data and documents required therein;

It is further ordered, That on and after the date of this Order, each application for a renewal of a commercial or amateur radio operator license shall

¹ Not filed as part of the original document. Copies may be obtained by addressing Federal Communications Commission.

² Act of June 25, 1938, chapter 676, 52 Stat. 1060, U.S.C., Supp. IV, title 29, section 201.

³ Published in 3 F.R. 2640, under the heading "Title 29—Labor, Chapter IV.—Children's Bureau—Child Labor—Part 421, Procedure Governing Determinations of Hazardous Occupations," November 5, 1938.

be accompanied by the applicant's response to the attached questionnaire (Form No. 735), together with the additional data and documents required therein: *Provided, however,* That such response need not be submitted with a renewal application if a response previously has been made pursuant to the first ordering paragraph herein.

This Order shall become effective immediately.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 40-2596; Filed, June 26, 1940;
10:14 a. m.]

NOTICE CONCERNING HIGH FREQUENCY BROADCAST STATIONS¹

In connection with the revised rules and regulations governing High Frequency Broadcast Stations, which place FM (frequency modulation) on a commercial basis, the Commission will, at an early date, repeal §§ 4.111-4.117 of its rules which have heretofore governed the experimental operation of such station.

§ 4.114 of the rules to be repealed allocates frequencies in the band 25300-26900 kilocycles for the use of High Frequency Broadcast Stations, and there are outstanding licenses issued on an experimental basis, subject to cancellation, for the operation of stations using these bands. The Commission contemplates that these frequencies will be made available, by revision of rules to be promulgated shortly, for Developmental Broadcast Stations covered by the provisions of §§ 4.151-4.157 of the rules.

Thereafter, the Commission does not contemplate the granting of any application for the use of frequencies in the 25300-26900 band for experimentation looking to the establishment of any commercial domestic broadcasting service. Existing stations in this band may apply for modification of licenses to permit continued operation on their present frequency assignments under the classification of Developmental Broadcast Stations, or they may apply, under the provisions of the new rules covering High Frequency Broadcast Stations, for licenses authorizing commercial operation on the frequencies 43000 kilocycles and above now assigned for such service.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 40-2597; Filed, June 26, 1940;
10:15 a. m.]

¹ See Part 3, Rules Governing Standard and High Frequency Broadcast Stations, FEDERAL REGISTER of Wednesday, June 26, 1940 (5 F.R. 2382).

FEDERAL POWER COMMISSION.

[Docket No. IT-5642]

IN THE MATTER OF NORTHWESTERN
ELECTRIC COMPANYORDER TO SHOW CAUSE AND FIXING DATE
FOR HEARING

JUNE 18, 1940.

Upon consideration of the report entitled "Reclassification of Plant Accounts as of January 1, 1937" mailed to the Federal Power Commission by the Northwestern Electric Company of Portland, Oregon, on May 27, 1939; the joint "Report on the Reclassification and Original Cost Studies of Electric Plant as at January 1, 1937," made by the staffs of the Federal Power Commission and the Public Utilities Commissioner of Oregon and served upon the Northwestern Electric Company, with a letter of transmittal, by the Federal Power Commission on May 1, 1940; Northwestern Electric Company's written reply to the joint report dated May 31, 1940; and other related information on file with this Commission;

The Commission finds that:

(a) Northwestern Electric Company's above-mentioned report and reply do not set forth sufficient information which would justify or explain the Company's reason for failure to adjust its books of account in complete accordance with the joint "Report on the Reclassification and Original Cost Studies of Electric Plant as at January 1, 1937" made by the staffs of this Commission and the Public Utilities Commissioner of Oregon;

(b) Under the provisions of Section 301 (a) of the Federal Power Act, the Company has the burden of proof to justify every accounting entry questioned by this Commission, and it is advisable, necessary and proper in the public interest that a public hearing be held for the purpose of requiring the Northwestern Electric Company to show cause why this Commission should not order the adjustment of the Company's accounts to conform with the aforementioned joint "Report on the Reclassification and Original Cost Studies of Electric Plant as at January 1, 1937";

The Commission, therefore, orders that:

(1) A public hearing be held on July 15, 1940, at 10 a. m. in the Circuit Court of Appeals Court Room 704, U. S. Courthouse Building, Portland, Oregon, and that at the hearing the Northwestern Electric Company show cause why the Federal Power Commission should not find and determine by order that adjusting entries be made to bring the books of account in conformity with the joint "Report on the Reclassification and Original Cost Studies of Electric Plant as at January 1, 1937";

(2) The Public Utilities Commissioner of Oregon and the Washington Department of Public Service may participate in the hearing as provided in Part 39,

§ 39.4 of this Commission's Rules of Practice and Regulations prescribed pursuant to the provisions of the Federal Power Act.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 40-2603; Filed, June 26, 1940;
11:07 a. m.]SECURITIES AND EXCHANGE COM-
MISSION.

[File No. 70-11]

IN THE MATTER OF CUMBERLAND COUNTY
POWER AND LIGHT COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of June, A. D. 1940.

Cumberland County Power and Light Company, a subsidiary company of New England Public Service Company and of Northern New England Company, both registered holding companies, having filed an application pursuant to Section 10 of the Public Utility Holding Company Act for the acquisition on the open market from time to time of the securities of Portland Railroad Company, its subsidiary company, as follows: First Consolidated Mortgage Gold Bonds, maturing July 1, 1951, First Lien and Consolidated Mortgage Gold Bonds, due November 1, 1945 and Capital Stock (common);

Said Cumberland County Power and Light Company having also applied for approval of the acquisition from its wholly-owned nonutility subsidiary company, Cumberland Securities Corporation, of 1,763 shares of the capital stock of Portland Railroad Company at a total cost of \$101,689:

It is ordered, That said application be and the same hereby is granted subject, however, to the following terms and conditions:

1. If, at any time hereafter, the proposed acquisitions shall become unlawful according to the laws of the State of Maine, this order shall terminate without any further action by this Commission.

2. Cumberland County Power and Light Company shall not expend in excess of \$100,000 for the purchase of Portland Railroad Company securities in the year 1940 (excluding the proposed purchase from Cumberland Securities Corporation), the Commission reserving jurisdiction as to further expenditures for the purchase of Portland Railroad Company securities by Cumberland County Power and Light Company.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.[F. R. Doc. 40-2602; Filed, June 26, 1940;
11:02 a. m.]

[File No. 1-3023-1]

IN THE MATTER OF TREADWELL YUKON
CORPORATION, LTD., CAPITAL STOCK,
\$1.00 PAR VALUEORDER SETTING HEARING ON APPLICATION TO
WITHDRAW FROM LISTING AND REGIS-
TRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June, 1940 A. D.

The Treadwell Yukon Corporation, Ltd., pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock, \$1.00 Par Value, from listing and registration on the San Francisco Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m., on Monday, July 22, 1940, at the office of the Securities and Exchange Commission, 625 Market St., San Francisco, Calif., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.[F. R. Doc. 40-2601; Filed, June 26, 1940;
11:02 a. m.]

[File No. 70-93]

IN THE MATTER OF CALIFORNIA PUBLIC
SERVICE COMPANY, WESTERN STATES
UTILITIES COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June, A. D. 1940.

A joint application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on July 1, 1940, at 9:30 o'clock in the forenoon of that

day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted

to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission or or before June 29, 1940.

The matter concerned herewith is in regard to the use of sinking fund moneys for the retirement of bonds pursuant to

the requirements of the indenture securing California Public Service Company's First Mortgage Bonds, Series B, 4 $\frac{1}{4}$ %, due 1964, and the indenture securing Western States Utilities Company's First Mortgage, 4 $\frac{1}{2}$ % Bonds, due 1959.

Applicants have designated Section 12 (c) and Rule U-12C-1 as applicable to the transactions.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-2600; Filed, June 26, 1940;
11:02 a. m.]